

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, state bar number, and address</i>): TELEPHONE NO.: _____ FAX NO. (<i>Optional</i>): _____ E-MAIL ADDRESS (<i>Optional</i>): _____ ATTORNEY FOR (<i>Name</i>): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
IN RE THE MATTER OF:	
PETITION AND ORDER FOR APPOINTMENT OF GUARDIAN AD LITEM UNDER THE PROBATE CODE <input type="checkbox"/> EX PARTE	CASE NUMBER:

NOTE: This form is for use in proceedings under the Probate Code, except for compromise of an action to which a minor or incompetent person is a party. A person seeking the appointment of a guardian ad litem in a civil proceeding should use Form 982(a)(27). A person seeking the appointment of a guardian ad litem in a family or juvenile proceeding should use Form FJ-200. An individual cannot act as a guardian ad litem unless the individual is an attorney or is represented by an attorney.

1. Petitioner (*name*): _____ is:
 - a. ☐ Personal representative of the estate of:
 - b. ☐ Guardian of:
 - c. ☐ Conservator of:
 - d. ☐ Trustee of:
 - e. ☐ Other interested person (*specify capacity*):
2. This petition seeks the appointment of the following person as guardian ad litem (*state name, address, and telephone number*):
3. The guardian ad litem is to represent the interests of the following person (*state name, address, and telephone number*):
4. The person to be represented is:
 - a. ☐ a minor (*date of birth*):
 - b. ☐ an incapacitated person
 - c. ☐ an unborn person
 - d. ☐ an unascertained person
 - e. ☐ a person whose identity or address is unknown
 - f. ☐ a designated class of persons who are not ascertained or are not in being
5. Appointment of a guardian ad litem arises out of issues regarding:
 - a. ☐ the execution of a disclaimer under Probate Code section 277 (*specify details in Attachment 5a*).
 - b. ☐ the representation of the interests of a spouse alleged to lack legal capacity (Probate Code, §§ 3112 and 3140) (*specify details in Attachment 5b*).
 - c. ☐ the consent to modification or termination of trust (Probate Code, § 15405) (*specify details in Attachment 5c*).
 - d. ☐ the approval and settlement of claims against a deceased settlor (Probate Code, § 19029) (*specify details in Attachment 5d*).
 - e. ☐ the representation of a minor, incapacitated person, or other person identified in Probate Code section 1003(a) in a proceeding under the Probate Code (Probate Code, § 1003(a)) (*specify details in Attachment 5e*).
 - f. ☐ other (*specify details in Attachment 5f*).
6. The appointment of a guardian ad litem is:
 - a. ☐ proper because the minor has no guardian of his or her estate.
 - b. ☐ necessary for the following reasons (*specify details in Attachment 6b*).

IN RE THE MATTER OF: _____	CASE NUMBER: _____
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7. The proposed guardian ad litem's relationship to the person he or she is representing is:
- ☐ related (*state capacity*):
 - ☐ not related (*specify capacity*):
8. The proposed guardian ad litem is fully competent and qualified to understand and protect the rights of the person he or she is representing as explained in Attachment 8 and has no interest adverse to the interests of that person.
9. Notice of this proceeding:
- ☐ should be dispensed with (*specify reasons for ex parte request in Attachment 9a*).
 - ☐ will be given to the parties named in Attachment 9b.
10. Number of pages attached: _____

(TYPE OR PRINT NAME)	▶	(SIGNATURE OF ATTORNEY)
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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: _____

(TYPE OR PRINT NAME)	▶	(SIGNATURE OF PETITIONER)
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CONSENT TO ACT AS GUARDIAN AD LITEM

I consent to the appointment as guardian ad litem and I declare under penalty of perjury under the laws of the State of California that the foregoing petition is true and correct.

Date: _____

(TYPE OR PRINT NAME)	▶	(SIGNATURE OF PROPOSED GUARDIAN)
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☐ CONSENT OF MINOR 12 YEARS OF AGE OR OLDER (*Optional*)

I, (*name*): _____, am (*specify age*): _____ years of age and hereby nominate
(*name*): _____ to be my guardian ad litem to represent my interests for the
reasons set forth in items 5 and 6 of this petition.

Date: _____

(TYPE OR PRINT NAME)	▶	(SIGNATURE OF MINOR 12 YEARS OF AGE OR OLDER)
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ORDER ☐ EX PARTE

THE COURT FINDS that

- ☐ All notices required by law have been given.
 - ☐ Notice is dispensed with.
- It is reasonable and necessary to appoint a guardian ad litem for the person named in item 3 of the petition, as hereinabove requested.

THE COURT ORDERS that (*name*): _____
is hereby appointed guardian ad litem of (*name*): _____
for the purposes set forth in items 5 and 6 of the petition.

THE COURT FURTHER ORDERS that
the guardian ad litem ☐ is ☐ is not _____ authorized to waive or disclaim any substantive rights of the represented party
without further order of this court.

Date: _____

	JUDGE OF THE SUPERIOR COURT
	<input type="checkbox"/> SIGNATURE FOLLOWS LAST ATTACHMENT